

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

12 HERTZ EQUIPMENT RENTAL
13 CORPORATION,

14 Plaintiff,

15 vs.
16 RAMON USED A, FRED KICENSKI, and
DOES 1 through 20,

17 Defendants.

18 Case No. CV-3:10-4953 WHA

19 **STIPULATION OF DISMISSAL WITH
PREJUDICE OF ALL CLAIMS AGAINST
DEFENDANT FRED KICENSKI;
~~[PROPOSED]~~ ORDER**

20 [F.R.C.P. 41(a)(1)]

21 Complaint Filed: November 2, 2010
22 Trial Date: None set

1 IT IS HEREBY STIPULATED by and between Plaintiff HERTZ EQUIPMENT RENTAL
2 CORPORATION (“HERC”) and Defendant FRED KICENSKI (“KICENSKI”), by and through their
3 counsel of record herein, that all claims in the above-captioned action against KICENSKI shall be
4 and hereby are dismissed with prejudice, with each party to bear its own costs and attorneys’ fees.

5 ~~HERC AND KICENSKI FURTHER STIPULATE that, pursuant to the Stipulated Permanent~~
6 ~~Injunction as to Defendant Fred Kicensk, and Order thereon, entered by the Court on November 30,~~
7 ~~2010, the Court shall retain jurisdiction over the enforcement of the terms of the Settlement~~
8 ~~Agreement between HERC and KICENSKI for a period of three years.~~

9 The court shall NOT maintain jurisdiction over the enforcement of the settlement between the parties.

10 DATED: December 6, 2010

NIXON PEABODY LLP

12 By: /s/ Charles M. Dyke

Charles M. Dyke
Attorney for Plaintiff
HERTZ EQUIPMENT RENTAL
CORPORATION

15 DATED: December 6, 2010

PARTON SELL RHOADES

17 By: /s/ James E. Sell

James E. Sell
Attorneys for Defendant
FRED KICENSKI

20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 Dated: December 7, 2010.


Hon. William H. Alsup
United States District Judge